

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

U.S. PAYMENTS, LLC

Plaintiff,

v.

CAPITAL SECURITY SYSTEMS, INC.

Defendant.

CIVIL ACTION NO.

10-CV-701-GKF-FHM

NOTICE OF DISMISSAL

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff U.S. Payments, LLC, dismisses its Complaint without prejudice against Defendant Capital Security Systems, Inc.

This 8th day of November, 2010.

Respectfully submitted,

s/ Dwight L. Smith
Dwight L. Smith, OBA No. 8340
DWIGHT L. SMITH, PLLC
1636 South Cincinnati Avenue
Tulsa, OK 74119
Attorney for Plaintiff
U.S. Payments, LLC

J. Mark Wilson, N.C. State Bar No. 25763
MOORE & VAN ALLEN PLLC
Bank of America Corporate Center
100 North Tryon Street
Suite 4700
Charlotte, North Carolina 28202
Of Counsel for Plaintiff
U.S. Payments, LLC

CERTIFICATE OF SERVICE

I hereby certify that on November 8, 2010, I served the foregoing document by U.S. Postal Service on the following:

Todd R. Miller, Esq.
Miller IP
1122 E. Green Street
Pasadena, CA 91106

s/ Dwight L. Smith